

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **March 26, 2002**

AGENDA ITEM NO.: **15**

CONSENT:

REGULAR: **X**

CLOSED SESSION:

ACTION: **X**

INFORMATION:

(Confidential)

ITEM TITLE: **Public hearing regarding vacating a portion of public right-of-way known as Newland Street**

RECOMMENDATION:

Adopt an ordinance vacating a portion of public right-of-way known as Newland Street located between Newberne and Edgar Streets.

SUMMARY:

Mr. James C. Adams, Jr., is petitioning the City to vacate a portion of public right-of-way known as Newland Street located between Newberne and Edgar Streets. Although the Technical Review Committee recommends that the City retain thirty (30) feet fronting on Edgar Street for a possible future turnaround for emergency vehicles, the Physical Development Committee recommends vacating of the entire portion of the public right-of-way.

PRIOR ACTION(S):

January 22, 2002: Technical Review Committee Review
March 5, 2002: Physical Development Committee Review

BUDGET IMPACT:

None

CONTACT(S):

Pat Kost 847-1443/228
James C. Adams, Jr. 525-3863

ATTACHMENT(S):

- Ordinance
- Map
- Technical Review Committee Report

REVIEWED BY:

AN ORDINANCE VACATING A PORTION OF PUBLIC RIGHT-OF-WAY KNOWN AS NEWLAND STREET
LOCATED BETWEEN NEWBERNE AND EDGAR STREETS

WHEREAS the City of Lynchburg on its own motion is proposing to vacate a portion of public right-of-way known as Newland Street located between Newberne and Edgar Streets; and

WHEREAS all adjacent property owners are in agreement to vacating the portion of public right-of-way known as Newland Street located between Newberne and Edgar Streets; and

WHEREAS City Council finds that no public inconvenience will result from vacating the portion of public right-of-way known as Newland Street located Newberne and Edgar Streets;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lynchburg, on its own motion, and in accordance with the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Section 35-71 through Section 36-77 of the City Code, 1981, as amended, the following described portion of right-of-way known as Newland Street located between Newberne and Edgar Streets, be, and the same hereby is discontinued and vacated, namely:

That portion of public right-of-way known as Newland Street located between Newberne and Edgar Streets.

Provided, however, that an easement to locate, relocate, repair, replace, maintain and perpetually operate all utilities currently located therein or needed by the City in the future is hereby reserved unto the City of Lynchburg, and the construction of any building or structure or the use of the vacated property in any manner that could interfere with the City's right to locate. relocate, repair, replace and maintain and perpetually operate utilities is prohibited without the prior written approval of the City Manager's Office, City Utilities Division and the City Engineering Division.

BE IT FURTHER ORDAINED That the Clerk of Council is hereby authorized and directed to deliver a duly-certified copy of this ordinance to the Clerk of the Circuit Court for the City of Lynchburg so that said certified copy of this ordinance may be recorded as deeds are recorded and indexed in the name of the City of Lynchburg.

Adopted:

Certified: _____
Clerk of Council

053P

